

Docket No.: 42390P12637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JIANG HONG, ET AL.

Application No.: 10/028,854

Filed: December 19, 2001

System and Method for Streaming

Multimedia Over Packet Networks

Examiner:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 RECEIVED

MAY 2 0 2003

Technology Center 2600

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Copies of the references cited on PTO/SB/08 are enclosed herewith.

It is hereby stated that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual associated with the filing or prosecution of the subject application more than three months prior to the filing of the Information Disclosure Statement.

The references were cited in a Search Report dated March 5, 2003 (copy enclosed herewith) from a foreign patent office in a counterpart PCT application, which was forwarded to Applicant's Representative in a communication dated March 26, 2003.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Eric S. Hyman, Beg. No. 30,139

12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025 (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Melissa Stead

Date

O E CATA

PTO/SB/21 (05-03)
Approved for use through 04/30/2003. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TDANG	CRAITTAL E	ODM	Application No.	10/028,854	
TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Filing Date	December 19, 2001		
		First Named Inventor	Jiang Hong		
			Group Art Unit		
			Examiner Name		
Total Number of I	Pages in This Submissi	on 18	Attorney Docket Number	42390P12637	
	ENCLO	SURES (ched	ck all that apply)		
Fee Transmittal	Form	Drawing(s)	After Allowance Communication to Group	
Fee Attack	hed	Licensing-r	related Papers	Appeal Communication to Board of Appeals and Interferences	
Amendment / Re	esponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Fina Affidavits	al /declaration(s)	Petition to 0 Provisional	Convert a Application	Proprietary Information	
Extension of Tim	ne Request	Power of A Change of	ttomey, Revocation Correspondence Address	Status Letter	
Express Abando	nment Request	Terminal D	Disclaimer	Other Enclosure(s) (please identify below):	
_ 🖂	losure Statement	Request for	Refund	Transmittal of PCT; International Search Report;	
Certified Copy of Document(s)		CD, Numb	er of CD(s)	Prior Art References (8); return postcard	
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Response to Mis Incomplete Appli	ication	Remarks			
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Response	aration/POA e to Missing ler 37 CFR 53			Technology Center 260	
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Firm					
or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP				
Signature	BEARLE 1, BOROLO 1, TATLOR & EATWAY LET				
Date 5 (2/03					
	CERTIF	ICATE OF MAIL	ING/TRANSMISSION		
I hereby certify that this postage as first class m	correspondence is beir	ng deposited with th	e United States Postal Servi	ice on the date shown below with sufficient 450, Alexandria, VA 22313-1450.	
Typed or printed na	ame Melissa Stea	ıd			
Signature Welson &C			red 1	Date 5-12-43	

PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0551-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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KMI&WEEE TO A NICMITTAL			Complete if Known				
FEE TRANSMITTAL for FY 2003			Application Number 10/028,854				
			iling Dat	е		December 19, 2	2001
Effective 01/01/2003. Patent fees are subject to annual revision.			irst Nam	ed Inv	entor	Jiang Hong	
Applicant claims small entity status. See 37	CFR 1.27.	E	xaminer	Name	-		1
TOTAL AMOUNT OF PAYMENT (\$			roup/Art		No	42390p12637	
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METHOD OF PAYMENT (check	one)				FE	E CALCULATION (continued	d)
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Account Number 02-2666		1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account D1-1-1-1-C-1-1-CC T1		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
Name Blakely, Sokoloff, Taylor & Zat	man LLP	2053	130	2053	130	Non-English specification	
The Commissioner is authorized to: (check all that apply)		1812	2,520	1812	2,520	For filing a request for ex parte reexaminate	ion
Charge fee(s) indicated below Credit any over	rpayments	1804	920 *	1804	920	Requesting publication of SIR prior to Examiner action	
Charge any additional fee(s) required under 37 CFR §§ 1.16, 1	.17, 1.18 and 1.20.	1805	1,840 *	1805	1,840	Requesting publication of SIR after	il
Charge fee(s) indicated below, except for the filing fee		1000	,,5,6	1000	1,010	Examiner action	
to the above-identified deposit account		1251	110	2251	55	Extension for reply within first month	
FEE CALCULATION		1252	410	2252	205	Extension for reply within second month	
1. BASIC FILING FEE		1253	930	2253	465	Extension for reply within third month	RECEIVE
Large Entity Small Entity		1254	1,450	2254	725	Extension for reply within fourth month	
Fee Fee Fee Fee <u>Fee Description</u> Code (\$)	FeePaid	1255	1,970	2255	985	Extension for reply within fifth month	MAY <u>2 0 2</u> 00
1001 750 2001 375 Utility filing fee		1404	320	2401	160	Notice of Appeal	Tochnologic
1002 330 2002 166 Design filing fee		1402	320	2402	160	Filing a brief in support of an appeal	Technology Center
1003 520 2003 260 Plant filing fee		1403	280	2403	140	Request for oral hearing	
1004 750 2004 375 Reissue filing fee		1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1005 160 2005 80 Provisional filing fee		1452	110	2452	55	Petition to revive - unavoidable	
SUBTOTAL (1) (\$)		1453	1,300 1,300	2453	650 650	Petition to revive - unintentional Utility issue fee (or reissue)	
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2. EXTRA CLAIM FEES Extra Claims Fee from below	FeePaid	1503	630	2503	315	Plant issue fee	
Total Claims - 20 = X	7=[1460	130	2460	130	Petitions to the Commissioner	
Independent 3 X	- <u>-</u>	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Multiple Dependent	=	1806	180	1806	180	Submission of Information Disclosure Stm	,
Large Entity Small Entity		8021	40	8021	40	Recording each patent assignment per	
Fee Fee Fee Fee Description						property (times number of properties)	
Code (\$) Code (\$)		1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1202 18 2202 9 Claims in excess of 20							1 1

SUBMITTED BY	Y				Com	plete (if applicable)
Name (Print/Type)	Eric S. Hyman		Registration No. (Attorney/Agent)	30,139	Telephone	(310) 207-3800
Signature		20	∇		Date	5/12/07

Other fee (specify)

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patent

**or number previously paid, if greater, For Reissues, see below

SUBTOTAL (2)

original patent

Independent claims in excess of 3

Multiple Dependent claim, if not paid

**Reissue independent claims over original

**Reissue claims in excess of 20 and over

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750

750

900

* Reduced by Basic Filing Fee Paid

2810

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375

375

900

For each additional invention to be examined (37 CFR § 1.129(b))

Request for expedited examination of a design application

Request for Continued Examination (RCE)

SUBTOTAL (3)

(\$)

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, US Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Complete if Known					
Application Number	10/028,854				
Filing Date	December 19, 2001				
First Named Inventor	Jiang Hong				
Art Unit					
Examiner Name					
Attorney Docket Number	42390P12637				

	U.S. PATENT DOCUMENTS							
	Document Number Publication Date Pages, Columns, Lines, Where							
Examiner Initials*	Cite No.1	Number - Kind Code ² (if known)	or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
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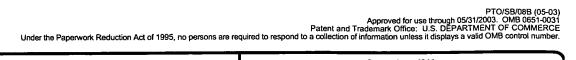
	FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document			Pages, Columns, Lines,	76	
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	١٠	
		WO 00/72601 A2	11-30-2000	Bigband Networks, Inc.			
		WO 01/52466 A1	07-19-2001	Nokia Mobile Phones Limited			
		EP 1 113 644 A2	07-04-2001	Kabushiki Kaisha Toshiba			
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Examiner	Date	
Signature	 Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, US Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.



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			Application Number	10/028,854
	INFORMAT	ION DISCLOSURE	Filing Date	December 19, 2001
	STATEMEN	IT BY APPLICANT	First Named Inventor	Jiang Hong
			Art Unit	
	(use as many sheets	as necessary)	Examiner Name	
	Sheet	of	Attorney Docket Number	42390P12637

	OTHER ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²			
		2000 IEEE, "Optimal Scheduling for Stremaing of Scalable Media", Z. Miao, et al., 3 pages				
		XP-002233486, "Quality of Service in Bluetooth Networking", M. van der Zee, et al., 56 pages				
		2000 IEEE, "Selective Truncating Internetwork Protocol: experiments with explicity framing", M. Engan, et al., 3 pages				
		XP-008006103, "MPEG-4 FGS Video Streaming with Constant-Quality Rate Adaptation, Prioritized Packetization and Differentiated Forwarding", L. Zhao, et al., 6 pages				
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¹Applicant's unique citation designation number. ²Applicant is to place a check mark here if English tanguage Translation is attached.